

Attorney Docket No. 103864.1200 RI



PATENT/OFFICIAL

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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Reissue Application of :

Christopher J. LASHER, et al. :

Filed: June 30, 2000 :

FOR: AUTOMATIC PRESCRIPTION FILLING, SORTING AND PACKAGING SYSTEM

**COMBINED DECLARATION AND POWER OF ATTORNEY**

As a below-named inventor, I hereby declare that:

My residence, Post Office Address and Citizenship are as stated below next to my name, and that:

I verily believe that I am the original, first and joint inventor of the invention entitled AUTOMATIC PRESCRIPTION FILLING, SORTING AND PACKAGING SYSTEM, described and claimed in the specification filed on herewith, that I have reviewed and understand the contents of the specification, including the claims, as well as the claims referred to in this declaration, that I do not know and do not believe the same was ever known or used in the United States of America before my invention thereof, or patented or described in any printed publication in any country before my invention thereof or more than one year prior to May 7, 1996, that the same was not in public use or on sale in the United States of America more than one year prior to May 7, 1996, that the invention has not been patented or made the subject of an inventors certificate issued before May 7, 1996 in any country foreign to the United States of America on an application filed by me or my legal representatives or assigns more than twelve months prior to May 7, 1996, and that I acknowledge my duty to disclose information of which I am aware which is material to the examination of this application.

My original U.S. Patent 5,771,657, which matured from serial number 08/646,016, is partly inoperative or invalid by reason of claiming less than I had the right to claim through error. The errors include, for example, omission of broader claims to an operator assisted prescription dispensing system and a method of dispensing pills in a prescription dispensing system, including more liberal use of non-means plus function terminology.

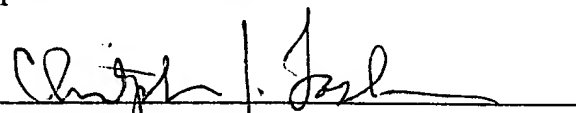
All errors arose without any deceptive intent during prosecution of the original application which matured as U.S. Patent No. 5,771,657.

No factual basis is required establishing how the errors occurred under 37 C.F.R. §1.175.


I hereby appoint the following attorneys to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith, including:

Irah H. Donner, Reg. No. 35,120; Henry N. Wixon, Reg. No. 32,073; Luke Yeh, Reg. No. 43,296; James B. Lampert, Reg. No. 24,564; Edward D. Grief, Reg. No. 38,898; Gregory S. Discher, Reg. No. 42,488; and Scott M. Alter, Reg. No. 32,879, all of HALE and DORR LLP, 1455 Pennsylvania Avenue, N.W., Washington, D.C. 20004, with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith, and all future correspondence should be addressed to them at the referenced address.


I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

  
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Citizenship: U.S.A.

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Reissue Application of

Christopher J. LASHER, et al.

Serial No. 646,016

Filed: May 7, 1996



FOR: AUTOMATIC PRESCRIPTION FILLING, SORTING AND PACKAGING SYSTEM

ASSIGNEE'S CONSENT TO REISSUE

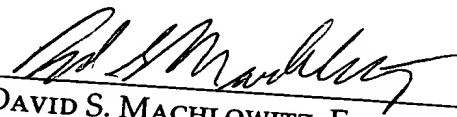
Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

In accordance with the provisions of 37 C.F.R. 1.172, MERCK-MEDCO MANAGED CARE, L.L.C., assignee of U.S. Patent 5,771,657 to AUTOMATIC PRESCRIPTION FILLING, SORTING AND PACKAGING SYSTEM, granted on June 30, 1998, to Christopher J. Lasher, et al., of which it is the owner of the entire right, title and interest, hereby consents to the filing of the accompanying reissue application therefor.

MERCK-MEDCO MANAGED CARE, L.L.C.

By:

  
DAVID S. MACHLOWITZ, Esq.

Title: SENIOR VICE PRESIDENT AND GENERAL COUNSEL

Date: \_\_\_\_\_